

Defendant's Statement

(1) A statement of the nature of the action, the pleadings in which the issues are raised (for instance, third amended complaint and answer) and whether counterclaims, crossclaims, etc., are involved.

Plaintiff Linda J. Blozis ("Blozis") alleges employment discrimination against Defendants Mellon Trust of Delaware ("Mellon Trust"), Mellon Bank, N.A. ("Mellon Bank"), and Mellon Financial Corporation ("Mellon Financial") (collectively "Defendants"). Blozis raises these claims in a four count complaint:

- Count I: Unlawful termination under the Age Discrimination in Employment Act ("ADEA"), 29 U.S.C. §§ 621-29 and 19 *Del. C.* § 711(a)(1);
- Count II: Hostile work environment discrimination under the ADEA and 19 *Del. C.* § 711(a)(1);
- Count III: Hostile work environment discrimination under Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, and 19 *Del. C.* § 711(a)(1); and
- Count IV: Unlawful termination under anti-retaliation provisions of the ADEA and 19 *Del. C.* § 711(f).

Defendants answered Plaintiff's Complaint, denied all material allegations and raised affirmative defenses including, but not limited to: (1) that some, or all of Blozis's claims are barred by the applicable statute of limitations; (2) that Blozis' claims for equitable relief are barred by laches, waiver, and unclean hands; (3) that the Complaint fails to state a claim upon which relief can be granted; (4) that Defendants exercised reasonable care to prevent and promptly correct any alleged discriminatory, or harassing behavior, and Plaintiff unreasonably failed to take advantage of the preventative and/or corrective opportunities that Defendants provided or to avoid harm otherwise.